

Whitefish Trust Land Plan Advisory Committee Meeting  
Thursday, April 22, 2004  
Whitefish Library  
6-7:30 pm

**Committee Members Attending**

Paul McKenzie  
Steve Lorch  
Marshall Friedman  
Leesa Valentino  
Alan Elm  
Lisa Horowitz-by speaker phone  
Donna Maddux

**Resources**

Bob Sandman, DNRC  
Greg Poncin, DNRC  
Eric Mulcahy, City Planner  
B.J. Greeve(sp?), County Planner

**Meeting Summary**

The proposed Whitefish Neighborhood Plan Principles drafted by Bob Sandman and Greg Poncin were distributed to the Advisory Committee. The document, inspired by the Castle Valley Land-Use Plan, was prepared to identify the high points and principle objectives for the Whitefish Area Trust Lands Neighborhood Planning Effort. Bob Sandman walks the committee through each of the principles, serves as the facilitator and clarifies points included in the draft document. The meeting has been referred to as the "Top of the Mountain," whereas there are lots of ways to get the same point. The plan principles are supposed to help clearly identify and understand the end goal and therefore allow the group to efficiently schedule the activities in order to meet the goal.

Principles document and bulleted discussion items are listed below.

**Plan Principles**

1. The Whitefish Neighborhood Planning Effort was initiated by this Department of Natural Resources and Conservation (DNRC), specifically Stillwater and Kalispell units. Currently, this planning effort is not required of DNRC. The present State Land Board and local government elected officials support this and are involved. This would likely change in November for the Land Board and January for the local government elected officials. For this and other reasons, the Whitefish Neighborhood Plan must be presented to the Land Board by the regularly scheduled October meeting.
  - Process is a voluntary project by the DNRC (Kalispell and Stillwater units).
  - Supported by the existing Land Board and local government officials.
2. DNRC has 3 primary objectives for the Whitefish Neighborhood Planning effort.
  - a. Education of the community concerning State school trust lands.
  - b. Establishment of fair entitlements to the 13,000 acres of State trust lands compared to the private entitlements. (This refers to zoning and densities)
  - c. Decision criteria for DNRC associated with proposing or acceptations nontraditional action.

3. The desired end product is either a neighborhood plan that is adopted as an amendment to the applicable local government jurisdiction growth policy or direct incorporation of the neighborhood plan into applicable growth policies.
  - The neighborhood plan will act as an amendment to the existing growth policy or master plan.
4. The desired end product (Neighborhood Plan) should account for community values, help provide for local growth predictability, allocate fair entitlements compared to private property, and identify implementation strategies that will likely result in legitimate, fair, and substantial increased revenue for education. To meet this objective, full community involvement is both necessary and desired.
  - **Note per Bob Sandman:** Important point to be addressed in the near future is the issue of the potential jurisdiction zoning change between the City and the County and the questionable effect on the applicability of the Trust Land Neighborhood Plan.
  - Question from the committee is whether this Plan would supercede the possible jurisdiction change?
  - Neighborhood Plan on Trust Lands will clarify zoning with the surrounding land-uses. Traditionally, State Lands have not been involved with local land-use regulations.
  - The DNRC says it is going to commit to compliance with the Trust Land Neighborhood Plan as opposed to variable requirements in, for example, the county zoning that would allow them to manipulate density with available bonuses, etc...Doing this would not be considered a success. The plan would be successful if the group can agree to implementation strategies, zoning and density recommendations in the end product of the Neighborhood Plan.
  - Sandman notes that there is no guarantee that the Land Board won't do something on the landscape that does not go along with recommendations of the Plan.
  - The DNRC acknowledges that the existing planning jurisdiction for the 13,000 acres is approximately 90% within the Whitefish City/County Master Plan while approximately 10% is in the County planning jurisdiction. Therefore, the Whitefish City/County Master Plan is the underlying planning document for approximately 90% of the lands within the Neighborhood Plan study area.
5. The desired end product (Neighborhood Plan) does not authorize implementation of any DNRC projects; it is a planning tool. Proposed projects will still need to complete both local and State requirements, such as MEPA, subdivision review, etc.
  - DNRC wants to commit to the Plan. The DNRC wants to provide the local community with predictability on the use of the Trust Lands.
6. DNRC does not have the available staff time to complete this effort alone; therefore, maximizing the use of available internal expertise and private contractors, and integration with the advisory committee must either improve the speed of completion, involvement, improve the quality, or both.
  - Land Board is the ultimate boss on this project. The Land Board said they wanted the DNRC to work with the community.

- What happens if progress isn't happening to the DNRC's expectation? Could they divorce this process? Right now, Bob Sandman doesn't see this happening in a negative fashion.

7. Major process approval items:

- a. The Plan must be approved by Bob Sandman and Greg Poncin, DNRC managers responsible for the 13,000 acres of trust land.
- b. The Plan must be approved by the State Land Board; the Board is responsible for the State land disposition and acquisition of allocation of resources on State trust lands and is responsible to beneficiaries as trustees of various trusts.
- c. The Plan must be approved as an amendment or incorporated into applicable growth policies by the local government jurisdiction, is responsible for community services and local growth planning.
- d. The State Land Board may revisit approval by the local government if the local government makes major changes to the Plan that was approved by the Land Board.

8. Though the process, there should be no surprises by either the DNRC or the committee. There will be on sandbagging, or by passing of either the committee or DNRC in the process.

Additional discussion:

There have been productive conversations over the last week between Committee members and DNRC. However, the term "minority report" had surfaced to describe alternative viewpoints in the end product. This term was used in anticipation of the group being unable to have consensus on the entire Plan. Sandman says that if the group gets to a point in this process where people don't agree, he wants the group to keep going. Therefore, to preserve the difference in views, the contentious items would be included in the document in the appropriate location. The intention is to give the group a mechanism to deal with this type of issue. The DNRC wants to develop a plan that everyone will be able to accept across the board. The DNRC wants to help the Advisory Committee come up with alternatives. It is acknowledged that there will be compromises from both the DNRC and Advisory Committee through this process.

**Summary of Discussion with Planners: Eric Mulcahy & BJ Greeves**

B.J. is a recent addition to the Flathead County planning staff. He is in attendance to observe, interpret, and report back to Forest Sanderson. Copies of the Montana Growth Policy Resource Book outlining growth policy statutes were distributed.

Eric Mulcahy, planner with the Tri-City Planning office, distributed a section from the Whitefish Area Master Plan that addresses Neighborhood Plans.

The impetus behind this specific meeting was to define the target of the end product of the neighborhood plan, to identify what the planners would like to see as an applicable document, and to clarify format and document structure.

Eric Mulcahy says he can see overlays and mapping being done in this plan that will be similar to Castle Valley Plan. The draft outlines that were written by DNRC and by Diane Conradi, Marshall Friedman and Bick Smith are fairly similar.

The Plan will have a section with overall goals and policies. The body of the document will have more specifics that will be addressed for each sub-area with subsection and goals and policies for each sub-area. Ultimately, implementation strategies will be developed for each sub-area.

One of the tools for implementation can be zoning; ie. Clustering, adding new zoning, etc... This is where you're going to tie the corners down on this plan according to Mulcahy. Zoning regulations will set predictability for the DNRC, regardless of changes in local governments.

Resource documents available online at [www.tricityplanning-mt.com](http://www.tricityplanning-mt.com). The Soil Conservation Service has different layers of information available.

Steve will email a link to group for reference to newly available online form of Whitefish Resource Document Master Plan.

### **Timeline**

Can the Plan be completed by October?

Bob Sandman has the utmost confidence that we can even though it is an aggressive schedule.

A request for proposal has been submitted to Marty Zeller, the planner who worked on the Castle Valley Land-Use Plan in Utah. Hopefully will have a proposal from him by the beginning of the week.

Members of the Advisory Committee agreed to set up fundraising network for community.

DNRC asks if the proposed outline is acceptable to the City and County as a framework for consideration to a Master Plan amendment?

There is likelihood that Janet may be willing to offer more of her resources.

It is agreed that the outline is the working document for the next phase of plan development.

Meeting adjourned.